

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
YANIRA IVELISSE MENDEZ,

Plaintiff,

-v-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.  
-----X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 6/4/2021

19 **CIVIL** 9058 (OTW)

**JUDGMENT**

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Stipulation and Order dated June 4, 2021, that this action be, and hereby is, remanded to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g), in connection with the Supreme Court's decision in Carr v. Saul, 141 S. Ct. 1352 (2021), in which the Court held that a claimant need not raise an Appointments Clause claim before the Social Security Administration, but may instead present it for the first time in federal court. On remand, the case will be assigned to a different administrative law judge ("ALJ") to further evaluate plaintiff's claims, plaintiff will be offered the opportunity for a hearing, and the ALJ will issue a new decision.

**Dated:** New York, New York  
June 4, 2021

**RUBY J. KRAJICK**

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Clerk of Court

BY:

*Kmango*  
\_\_\_\_\_  
Deputy Clerk